

**REVISED MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES
STANDING COMMITTEE**

Thursday, March 2, 2017 • 4:10 pm • 210 Senate Building

Members Present:

Rep. Brad M. Daw, Chair
Rep. Michael S. Kennedy, Vice Chair
Rep. Stewart E. Barlow
Rep. Rebecca Chavez-Houck
Rep. Craig Hall
Rep. Sandra Hollins
Rep. Kelly B. Miles
Rep. Paul Ray

Rep. Edward H. Redd
Rep. Robert M. Spendlove
Rep. Norman K Thurston
Rep. Raymond P. Ward

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Steve Benard, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Rep. Kennedy assumed the chair.

1. 1st Sub. S.B. 246 Pharmacy Practice Act Amendments (Vickers, E.)

Sen. Evan J. Vickers presented the bill.

Ms. Michele McOmber, Utah Medical Association, spoke in favor of the bill.

MOTION: Rep. Daw moved to amend 1st Substitute S.B. 246 with Amendment #2.

1. *Page 1, Lines 21 through 22:*

21 Other Special Clauses:

22 { ~~Note~~ **This bill provides a special effective date.**

2. *Page 3, Lines 68 through 70:*

68 (B) performed by the state licensing agency of the state in which the applicant is a

69 resident and in accordance with the National Association of Boards of Pharmacy { ~~multiple~~ } **multistate**

70 inspection blueprint program.

3. *Page 4, Lines 90 through 92:*

90 (ii) performed by the state licensing agency of the state in which the applicant is a

91 resident and in accordance with the National Association of Boards of Pharmacy { ~~multiple~~ } **multistate**

92 inspection blueprint program.

4. *Page 7, Line 188a:*

Senate Committee Amendments
2-23-2017

188a Section 58-67-102 or Section 58-68-102, ←\$who issues the prescription to administer the drug.

Section 5. Effective date.

(1) Except as provided in Subsection (2), this bill takes effect on May 9, 2017.

(2) The amendments to Sections 58-17b-306 and 58-17b-308 take effect on October 1, 2017.

The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Rep. P. Ray

MOTION: Rep. Daw moved to pass 1st Substitute S.B. 246 out favorably.
The motion passed with a vote of 11-0-1.

Yeas:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays:

Abs:

Rep. P. Ray

Rep. Daw assumed the chair.

2. 1st Sub. S.C.R. 8 Health Care Freedom Concurrent Resolution (*Hemmert, D.*)

Rep. Michael S. Kennedy presented the bill.

Dr. William Cosgrove, pediatrician, spoke to the the bill.

Mr. Andrew Riggle, Policy Advocate, Disability Law Center, spoke to the bill.

MOTION: Rep. Miles moved to pass 1st Substitute S.C.R. 8 out favorably.
The motion passed with a vote of 7-4-1.

Yeas:

Rep. B. Daw
Rep. C. Hall
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. R. Spendlove
Rep. N. Thurston

Nays:

Rep. R. Chavez-Houck
Rep. S. Hollins
Rep. E. Redd
Rep. R. Ward

Abs:

Rep. S. Barlow

3. H.B. 420 Prescription Drug Importation Study (Thurston, N.)

Rep. Kennedy assumed the chair.

Rep. Norman K Thurston presented the bill.

Ms. Nancy Kimmerly spoke in favor of the bill.

MOTION: Rep. Daw moved to return H.B. 420 to the Rules Committee with a recommendation that the bill be placed on interim study.

The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

4. Minutes

MOTION: Rep. Ward moved to approve the minutes.

The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

5. H.B. 384 Abortion Clinic Licensing Amendments (*King, B. S.*)

Rep. Brian S. King presented the bill.

CONFLICT OF INTEREST DISCLOSURE: Rep. King disclosed that he is on the board of the ACLU.

Ms. Laura Bunker, Family Policy Resource, spoke in opposition the bill.

Ms. Marianne Christensen, Executive Director, Utah Eagle Forum, spoke in opposition to the bill.

Ms. Sarah Marsden spoke in favor of the bill.

Ms. Sheila Walsh-McDonald, Utah Department of Health, spoke to the bill.

MOTION: Rep. Miles moved to replace H.B. 384 with 1st Substitute H.B. 384.

The motion passed with a vote of 12-0-0.

<u>Yeas:</u>	<u>Nays:</u>	<u>Abs:</u>
Rep. S. Barlow		
Rep. R. Chavez-Houck		
Rep. B. Daw		
Rep. C. Hall		
Rep. S. Hollins		
Rep. M. Kennedy		
Rep. K. Miles		
Rep. P. Ray		
Rep. E. Redd		
Rep. R. Spendlove		
Rep. N. Thurston		
Rep. R. Ward		

MOTION: Rep. Redd moved to amend 1st Substitute H.B. 384 with Amendment #1.

1. *Page 1, Lines 8 through 14:*

8 General Description:

9 This bill { ~~limits the Department of Health's~~ instructs the Department
of Health in the exercise of the department's rulemaking authority.

10 Highlighted Provisions:

11 This bill:

12 ▶ { ~~prohibits~~ provides guidelines for the Department of Health
from making} to amend the department's licensing rules regarding hospital
13 admitting privileges or a hospital transfer agreement for an abortion service
14 provider.

2. *Page 3, Lines 57 through 59:*

57 (8) The department shall review and, if necessary, revise the department's rules to

58 ensure that the rules :

(a) promote the health, safety, and welfare of a patient of an abortion service
provider; and

(b) comply with binding federal case law relating to requirements for hospital
59 admitting privileges or a hospital transfer agreement by an abortion service provider.

The motion passed with a vote of 12-0-0.

Yeas:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays:

Abs:

MOTION: Rep. Thurston moved to adjourn.
The motion failed with a vote of 5-7-0.

Yeas:

Rep. S. Barlow
Rep. B. Daw
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Nays:

Rep. R. Chavez-Houck
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. R. Spendlove
Rep. R. Ward

Abs:

MOTION: Rep. Chavez-Houck moved to pass 1st Substitute H.B. 384 out favorably.
The motion passed with a vote of 7-5-0.

Yeas:

Rep. R. Chavez-Houck
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Ward

Nays:

Rep. S. Barlow
Rep. B. Daw
Rep. P. Ray
Rep. R. Spendlove
Rep. N. Thurston

Abs:

MOTION: Rep. Ray moved to adjourn.
The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Rep. C. Hall

Chair Kennedy adjourned the meeting.

Rep. Brad M. Daw, Chair